IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE BILAL NAZKI
and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 16512 of 2004

Between:
M/s. Balaji Cotton Ginning Mill, Etukuru Road, Guntur, Guntur District, rep by Partner, Mr. M. Subba Rao

..... PETITIONER

AND

The Assistant Commissioner, Commercial Taxes (INT)(LTU) Guntur Division, Guntur

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ of Certiorari or any other appropriate Writ or Order or Direction calling for the records of the Respondent dt 31-7-2004 for the assessment year 2002-2003 (APGST) in assessment No. 1627/2002-03 and quash the same as arbitrary, and against the weight of evidence and probabilities of Petitioner's case and also in violation of principles of natural justice and consequently grant stay of all further proceedings pursuant to the final assessment order and B3 demand notice of the Respondent dt 31-7-2004 for the assessment year 2002-03 (APGST).

Counsel for the Petitioner:MR.SHAIK JEELANI BASHA

Counsel for the Respondent No.: Special S.C for Commercial Tax

The Court made the following O R D E R

(Per the Hon'ble Sri Justice Bilal Nazki):

Learned counsel for the petitioner seeks permission of this Court to withdraw the writ petition with liberty to file an appeal before the appropriate authority.

Permission is granted. The writ petition is accordingly dismissed as withdrawn with liberty to the petitioner to file the appeal, within a period of two weeks from today, before the appropriate authority. Original final assessment order be returned to the petitioner. No order as to costs.

_____

(BILAL NAZKI, J)

22nd September, 2004.

_____

(S.ANANDA REDDY, J)

Note:Office is directed to return the
original order to the petitioner.
B/o
vrn

To
1The Assistant Commissioner, Commercial Taxes (INT)(LTU) Guntur Division, Guntur
2 Two C.D copies